

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

SKILLFUL DAVIS,

09-CV-1011-ST

Petitioner,

ORDER

v.

BRIAN BELLEQUE,

Respondent.

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(541) 465-6937

Attorney for Petitioner

**JOHN R. KROGER**

Attorney General

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**BROWN, Judge.**

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#34) on April 7, 2011, in which she recommends the Court deny Petitioner Skillful Davis's Petition (#2) for Writ of Habeas Corpus, dismiss this matter with prejudice, and deny a certificate of appealability. The matter is now before this Court pursuant to 28 U.S.C. § 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9<sup>th</sup> Cir. 2003)(*en banc*). *See also* *United States v. Bernhardt*, 840 F.2d 1441, 1444 (9<sup>th</sup> Cir. 1988). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and

Recommendation (#34) and, therefore, **DENIES** the Petition (#2) for Writ of Habeas Corpus, **DISMISSES** this matter **with prejudice**, and **DENIES** a certificate of appealability.

IT IS SO ORDERED.

DATED this 7<sup>th</sup> day of June, 2011.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge